



# राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, शुकवार, 2 जुलाई, 2004/11 आषाढ़, 1926

हिमाचल प्रदेश सरकार

उद्योग विभाग

अधिमूचना

शिमला, 10 जून, 2004

संख्या उद्योग-II(एफ) 6-6/2004. —हिमाचल प्रदेश के राज्यपाल, खान और खनिज (विकास और विनियमन) अधिनियम, 1957 की धारा 15 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, दी हिमाचल प्रदेश माईनर मिनरल्ज (कन्सेशन) रिवार्डिज्ड रूलज, 1971, जिन्हें इस विभाग की अधिमूचना संख्या 13-3/70-एस0 ई0 तारीख 13 अप्रैल, 1971 द्वारा राजपत्र हिमाचल प्रदेश (असाधारण) तारीख 5 मई, 1971 में प्रकाशित किया गया था, का और संशोधन करने के लिए, निम्नलिखित नियम बनाते हैं, अर्थातः—

1. संक्षिप्त नाम.—इन नियमों का संक्षिप्त नाम दी हिमाचल प्रदेश माईनर मिनरल्ज (कन्सेशन) रिवार्डिज्ड (अमैंडमेंट) रूलज, 2004 है।

2. नियम 13 का संशोधन.—दी हिमाचल प्रदेश माईनर मिनरल्ज (कन्सेशन) रिवार्डिज्ड रूलज, 1971 (जिसे इसमें इसके पश्चात “उक्त नियम” कहा गया है) के नियम 13 के उप-नियम (1) के नीचे निम्नलिखित परन्तुक अतन्स्थापित किया जाएगा, अर्थातः—

“Provided that in respect of leases for River/stream bed mining, leases over larger area of ten hectare or above shall be given priority for setting up of stone crushers and for free sale of minor minerals leases upto five hectare shall be granted.”

3. नियम 14 का संशोधन. —उक्त नियमों के नियम-14 के उप-नियम (2) में निम्नलिखित परन्तुक अंतःस्थापित किया जाएगा, अर्थातः—

“Provided that if the State Government is of the opinion that in the interest of the development of any mineral if it is necessary to do so, it may for reasons to be recorded in writing allow the grant of mining lease in relation to any area which is not compact or contiguous.”.

4. नियम 16 का प्रतिस्थापन. उक्त नियमों के नियम 16 के स्थान पर निम्नलिखित रखा जाएगा, अर्थातः—

“*Security deposits.*—The applicant shall, deposits as security a sum of twenty five thousand rupees for an area upto ten hectare and where the area involved is more than ten hectare, an additional security based on pro rata basis for additional area, in the shape of fixed deposit receipt (FDR) duly pledged in favour of the Director.”.

5. नियम 21 का संशोधन. उक्त नियमों के नियम 21 में,—

(क) उप-नियम (2) के खण्ड (XV) के पश्चात् निम्नलिखित खण्ड अंतःस्थापित किया जाएगा, अर्थातः—

“(xvi) No boulders, cobbles and hand broken ballast shall be transported outside the State.”; and

(ख) उप-नियम (3) के पश्चात् निम्नलिखित उप-नियम अंतःस्थापित किया जाएगा, अर्थातः—

“(4)(i) Every applicant shall submit Working-cum-Environment Management Plan for approval of State Geologist within a period of three months or such period as may be allowed by him not exceeding six months, from the date of issue of the grant order:

Provided that further permission from government is required after six month.

(ii) The Working-cum-Environment Management Plan shall be prepared by a person holding qualification as specified in Rule 22-B(2) of Mineral Concession Rules, 1960 and should be registered with the Geological Wing of Department of Industries, Himachal Pradesh.

(iii) The Working-cum-Environment Management Plan shall be duly approved by the authority, authorized for approval of mining plans under Rule 22(4A) of Mineral Concession Rules, 1960,

(iv) The security deposited under rule 16 of Himachal Pradesh Minor Mineral (Concession) Revised Rules, 1971, shall stand forfeited if Working-cum-Environment Management Plan is not submitted within prescribed period unless he gets a written permission from the State Geologist/Government for its late submission, and

(v) The lease deed shall only be executed after submission of Working-cum-Environment Management Plan.”.

6. नियम 22 का संशोधन. —उक्त नियमों के नियम 22 के खण्ड (vii) के पश्चात्, निम्नलिखित खण्ड जोड़ा जाएगा, अर्थातः—

“(viii) to sell sand, river borne bajri and crusher dust from the lease granted for the establishment of stone crusher.”

आदेश द्वारा,

हस्ताक्षरित/-

अतिरिक्त मुख्य सचिव एवं सचिव।

[Authoritative English text of this Department Notification No. Ind. II(F)6-6/2004, dated 10-6-2004 as required under clause (3) of Article 348 of the Constitution of India].

## INDUSTRIES DEPARTMENT

### NOTIFICATION

*Shimla-2, the 10th June, 2004*

**No. Ind. II(F)6-6/2004.**—In exercise of the powers conferred by sub-section (1) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957, the Governor, Himachal Pradesh is pleased to make the following rules further to amend the Himachal Pradesh Minor Mineral (Concession) Revised Rules, 1971, notified *vide* this department notification No. 13-3/70-SI dated the 13th April, 1971 and published in the Rajpatra Himachal Pradesh (Extra-ordinary) dated 5th May 1971, namely:—

1. *Short title.*—These rules may be called the Himachal Pradesh Minor Minerals (Concession) Revised (Amendment) Rules, 2004.

2. *Amendment of rule 13.*—In rule 13, below sub-rule (1) of the Himachal Pradesh Minor Mineral (Concession) Revised Rules, 1971 (hereinafter referred to as the said rules), the following proviso shall be inserted, namely:—

“Provided that in respect of leases for River/stream bed minning, leases over larger area of ten hectare of above shall be given priority for setting up of stone crushers and for free sale of minor minerals leases upto five hectare shall be granted.”

3. *Amendment of rule 14.*—In rule 14, below sub-rule (2) of the said rules, the following proviso shall be inserted, namely:—

“Provided that if the State Government is of the opinion that in the interest of the development of any mineral if it is necessary to do so, it may for reasons to be recorded in writing allow the grant of mining lease in relation to any area which is not compact or contiguous.”

4. *Substitution of rule 16.*—For rule 16 of the said rules, the following shall be substituted, namely:—

“*Security deposits.*—The applicant shall, deposit as security a sum of twenty five thousand rupees for an area upto ten hectare and where the area involved is more than ten hectare, an additional security based on pro rata basis for additional area, in the shape of fixed deposit receipt (FDR) duly pledged in favour of the Director.”

5. *Amendment of rule 21.*—In rule 21 of the said rules :—

(a) in sub-rule (2), after clause (xv), the following clause shall be inserted, namely:—

“(xvi) No boulders, cobbles and hand broken ballast shall be transported outside the State.” ; and

(b) After sub-rule (3) the following sub-rule shall be inserted, namely:—

“(4)(i) Every applicant shall submit Working-cum-Environment Management Plan for approval of State Geologist within a period of three months or such

period as may be allowed by him not exceeding six months, from the date of issue of the grant order :

Provided that further permission from government is required after six months.

- (ii) The Working-cum-Environment Management Plan shall be prepared by a person holding qualification as specified in Rule 22-B(2) of Mineral Concession Rules, 1960 and should be registered with the Geological wing of Department of Industries, Himachal Pradesh.
- (iii) The Working-cum-Environment Management Plan shall be duly approved by the authority, authorized for approval of minning plans under Rule 22(4A) of Mineral Concession Rules, 1960.
- (iv) The security deposited under rule 16 of Himachal Pradesh Minor Mineral (Concession) Revised Rules, 1971, shall stand forfeited if Working-cum-Environment Management Plan is not submitted within prescribed period unless he gets a written permission from the State Geologist/Government for its late submission, and
- (v) The lease deed shall only be executed after submission of Working-cum-Environment Management Plan."

6. *Amendment of rule 22.*—In rule 22 of the said rules, after clause (vii) the following clause shall be added, namely:—

“(viii) to sell sand, river borne bajri and crusher dust from the lease granted for the establishment of stone crusher.”.

By order,

Sd/-

A.C.S-cum-Secretary.